

### **Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **STATUS OF CLAIMS**

Claim 1. (Amended) A solid, topical cosmetic composition comprising:

- a. a swellable clay or adduct thereof, and
- b. a peptizing agent selected from the group consisting of tetrasodium pyrophosphate, tetrapotassium pyrophosphate, sodium hexametaphosphate, sodium tripolyphosphate, ethylenediamine tetracetic acid, sodium silicate, sodium oxalate, sodium hydroxide, sodium carbonate, sodium polyacrylate, hydrogen peroxide, alkylamido betaines, alkyl betaines, and derivatives and mixtures thereof, wherein the alkyl contains from about 8 carbon atoms to about 22 carbon atoms.

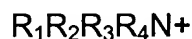
Claim 2. (Original) The composition of claim 1, wherein the swellable clay is in a lattice structure selected from the group consisting of pyrophyllite, talc, and mixtures thereof.

Claim 3. (Original) The composition of claim 1, wherein the class of swellable clays is selected from the group consisting of smectite, sepiolite, zeolite, palygorskite, and mixtures thereof.

Claim 4. (Original) The composition of claim 3 wherein the smectite clay is an aluminosilicate selected from the group consisting of bentonite, montmorillonite, hectorite, saponite, nontronite, vermiculite, beidellite, stevensite and synthetically made counter parts and mixtures thereof.

Claim 5. (Original) The composition of claim 1 wherein the swellable clay is montmorillonite.

Claim 6. (Original) The composition of claim 1 wherein the adduct is prepared by treating the swellable clay with a quaternary ammonium compound that binds to the clay, the quaternary ammonium compound having the structure:



wherein

$R_1$ ,  $R_2$ ,  $R_3$  and  $R_4$  are each independently selected from the group consisting of H, an alkyl having from about 1 to about 22 carbon atoms, an alkenyl having from about 1 to about 22 carbon atoms, and an aralkyl having from about 1 to about 22 carbon atoms, provided that at least one of the R groups is an alkyl having from about 1 to about 22 carbon atoms, an alkenyl having from about 1 to about 22 carbon atoms, or an aralkyl having from about 1 to about 22 carbon atoms.

Claim 7. (Cancelled).

Claim 8. (Original) The composition of claim 1, wherein the swellable clay is a mixture of smectite with a clay selected from the group consisting of sepiolite, palygorskite, zeolite, and mixtures thereof.

Claim 9. (Original) The composition of claim 1, wherein the peptizing agent is present in an amount, based upon the total weight of the composition, that is greater than or equal to about 0.05% and is less than or equal to about 1%.

Claim 10. (Original) The composition of claim 9 wherein the clay is present in the composition in an amount, based upon the total weight of the composition, that is greater than or equal to about 2% to less than or equal to about 10%.

Claim 11. (Original) The composition of claim 1, wherein the weight ratio of swellable clay to peptizing agent is from about 5:1 to about 1:1.

Claim 12. (Amended) A topical cosmetic suspension comprising:

- a. a swellable clay or adduct thereof, and
- b. a peptizing agent selected from the group consisting of tetrasodium pyrophosphate, tetrapotassium pyrophosphate, sodium hexametaphosphate, sodium tripolyphosphate, ethylenediamine tetracetic acid, sodium silicate, sodium oxalate, sodium hydroxide, sodium carbonate, sodium polyacrylate, hydrogen peroxide, alkylamido betaines, alkyl betaines, and derivatives and mixtures thereof, wherein the alkyl contains from about 8 carbon atoms to about 22 carbon atoms.

Claim 13. (Original) The composition of claim 12, wherein the swellable clay is in a lattice structure selected from the group consisting of pyrophyllite, talc, or mixtures thereof.

Claim 14. (Original) The composition of claim 12, wherein the class of swellable clays is selected from the group consisting of smectite, sepiolite, zeolite, palygorskite, and mixtures thereof.

Claim 15. (Original) The composition of claim 14 wherein the smectite clay is an aluminosilicate selected from the group consisting of bentonite, montmorillonite, hectorite, saponite, nontronite, vermiculite, beidellite, stevensite and synthetically made counter parts and mixtures thereof.

Claim 16. (Original) The composition of claim 15 wherein the swellable clay is montmorillonite.

Claim 17. (Original) The composition of claim 12 wherein the adduct is prepared by treating the swellable clay with a quaternary ammonium compound that binds to the clay, the quaternary ammonium compound having the structure:



wherein

$R_1$ ,  $R_2$ ,  $R_3$  and  $R_4$  are each independently selected from the group consisting of H, an alkyl having from about 1 to about 22 carbon atoms, an alkenyl having from about 1 to about 22 carbon atoms, and an aralkyl having from about 1 to about 22 carbon atoms, provided that at least one of the R groups is an alkyl having from about 1 to about 22 carbon atoms, an alkenyl having from about 1 to about 22 carbon atoms, or an aralkyl having from about 1 to about 22 carbon atoms.

Claim 18. (Cancelled).

Claim 19. (Original) The composition of claim 12, wherein the swellable clay is a mixture of smectite with a clay selected from the group consisting of sepiolite, palygorskite, zeolite, and mixtures thereof.

Claim 20. (Original) The composition of claim 12, wherein the clay is present in the composition in an amount, based upon the total weight of the composition, that is greater than or equal to about 1% to less than or equal to about 5%.

Claim 21. (Original) The composition of claim 12, wherein the weight ratio of swellable clay to peptizing agent is from about 5:1 to about 1:1.

Claim 22. (Amended) A composition in the form of an oil in water emulsion comprising:

- a. a swellable clay,
- b. an emulsifying agent,
- c. an oil, and
- d. an aqueous carrier, and

e. a peptizing agent selected from the group consisting of tetrasodium pyrophosphate, tetrapotassium pyrophosphate, sodium hexametaphosphate, sodium tripolyphosphate, ethylenediamine tetracetic acid, sodium silicate, sodium oxalate, sodium hydroxide, sodium carbonate, sodium polyacrylate, hydrogen peroxide, alkylamido betaines, alkyl betaines, and derivatives and mixtures thereof, wherein the alkyl contains from about 8 carbon atoms to about 22 carbon atoms.

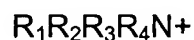
Claim 23. (Original) The composition of claim 22, wherein the swellable clay is in a lattice structure selected from the group consisting of pyrophyllite, talc, and mixtures thereof.

Claim 24. (Original) The composition of claim 22, wherein the class of swellable clays is selected from the group consisting of smectite, sepiolite, zeolite, palygorskite, and mixtures thereof.

Claim 25. (Original) The composition of claim 24 wherein the smectite clay is an aluminosilicate selected from the group consisting of bentonite, montmorillonite, hectorite, saponite, nontronite, vermiculite, beidellite, stevensite and synthetically made counter parts and mixtures thereof.

Claim 26. (Original) The composition of claim 25 wherein the swellable clay is montmorillonite.

Claim 27. (Original) The composition of claim 22 wherein the adduct is prepared by treating the swellable clay with a quaternary ammonium compound that binds to the clay, the quaternary ammonium compound having the structure:



wherein

$R_1$ ,  $R_2$ ,  $R_3$  and  $R_4$  are each independently selected from the group consisting of H, an alkyl having from about 1 to about 22 carbon atoms, an alkenyl having from about 1 to about 22 carbon atoms, and an aralkyl having from about 1 to about 22 carbon atoms, provided that at least one of the R groups is an alkyl having from about 1 to about 22 carbon atoms, an alkenyl

having from about 1 to about 22 carbon atoms, or an aralkyl having from about 1 to about 22 carbon atoms.

Claim 28. (Cancelled).

Claim 29. (Original) The composition of claim 22 further comprising a peptizing agent, wherein the weight ratio of the swellable clay to the peptizing agent is about 10:1 to about 1:10.

Claim 30. (Original) The composition of claim 29, wherein the peptizing agent is present in an amount, based upon the total weight of the composition, that is greater than or equal to about 0 % to less than or equal to about 5%.

Claim 31. (Original) The composition of claim 22, wherein the swellable clay is a mixture of smectite with a clay selected from the group consisting of sepiolite, palygorskite, zeolite, and mixtures thereof.

Claim 32. (Original) The composition of claim 22, wherein the clay is present in the composition in an amount, based upon the total weight of the composition, that is greater than or equal to about 1% to less than or equal to about 3%.

Claim 33. (Original) The composition of claim 22, wherein the oil is selected from the group consisting of mineral oil, lanolin, vegetable oils, and mixtures thereof.

Claim 34. (Original) The composition of claim 22, wherein the oil is present in the composition in an amount, based upon the total weight of the composition, that is greater than or equal to about 0.1% to less than or equal to about 10%.

Claim 35. (Original) The composition of claim 22, wherein the emulsifying agent is present in the composition in an amount, based upon the total weight of the composition, that is greater than or equal to about 0.1% to less than or equal to about 20%.

Claim 36. (Original) A method of treating or reducing enzymatic dermatitis comprising topically applying to the affected area of a mammal an effective amount of the composition of claim 1.

Claim 37. (Original) A method of treating or reducing enzymatic dermatitis comprising topically applying to the affected area of a mammal an effective amount of the composition of claim 12.

Claim 38. (Original) A method of treating or reducing enzymatic dermatitis comprising topically applying to the affected area of a mammal an effective amount of the composition of claim 22.

Claims 39 – 41 (Cancelled).

Claim 42. (Original) An article comprised of a substrate containing the composition of claim 1.

Claim 43. (Original) An article comprised of a substrate containing the composition of claim 12.



Claim 44. (Original) An article comprised of a substrate containing the composition of claim 22.

Claim 45. (Original) The article of claim 42 wherein the article is in the form of a premoistened wipe or a diaper.

Claim 46. (Original) The article of claim 43 wherein the article is in the form of a premoistened wipe or a diaper.

Claim 47. (Original) The article of claim 44 wherein the article is in the form of a premoistened wipe or a diaper.

Claim 48. (Original) A process for reducing the enzymatic activity of the enzymes present on the external skin comprising topically applying a composition according to claim 1.

Claim 49. (Original) A process for reducing the enzymatic activity of the enzymes present on the external skin comprising topically applying a composition according to claim 12.

Claim 50. (Original) A process for reducing the enzymatic activity of the enzymes present on the external skin comprising topically applying a composition according to claim 22.

Claim 51. (Amended) ~~The topical suspension of claim 12;~~ A topical cosmetic suspension comprising:

a. a swellable clay or adduct thereof, and

b. a peptizing agent comprised of, based upon the weight of the suspension,

- a) about 2 % montmorillonite clay, and
- b) about 0.2 % tetrasodium pyrophosphate.

Claim 52. (Cancelled).

Claim 53. (New) A method of preventing diaper rash comprising topically applying to the affected area of a mammal an effective amount of the composition of claim 1.

Claim 54 (New) A method of preventing diaper rash comprising topically applying to the affected area of a mammal an effective amount of the composition of claim 12.

Claim 55 (New) A method of preventing diaper rash comprising topically applying to the affected area of a mammal an effective amount of the composition of claim 22.